

## NEVADA COUNTY TRANSPORTATION COMMISSION

### Minutes of Meeting

March 21, 2007

A meeting of the Nevada County Transportation Commission (NCTC) was held on Wednesday, March 21, 2007 in the Nevada County Board of Supervisors Chambers, 950 Maidu Avenue, Nevada City, California. The meeting was scheduled for 8:30 a.m.

Members Present: Nate Beason, Tim Brady, Carolyn Wallace Dee, \*Sally Harris, Chauncey Poston, John Spencer and Russ Steele

Staff Present: Dan Landon, Executive Director; Mike Woodman, Transportation Planner; Nancy Holman, Administrative Services Officer; Toni Perry, Administrative Assistant

Standing Orders: Chairman Beason convened the Nevada County Transportation Commission meeting at 8:30 a.m.

Pledge of Allegiance

### CONSENT ITEM

#### 5. Certificate of Appreciation: Commissioner Josh Susman

Chairman Beason presented the Certificate of Appreciation to former NCTC Commissioner Susman at the beginning of the meeting. He expressed his personal appreciation to Commissioner Susman for his years of service on the Commission.

Chairman Beason welcomed Commissioner Carolyn Wallace Dee as the new representative from the Town of Truckee.

### INFORMATIONAL ITEMS

#### 1. Financial Reports

##### A. December 2006 and January 2007

Executive Director Landon reported that he had a discussion with Chairman Beason regarding possible changes to the format of the financial reports. Chairman Beason would like the reports to be straight forward and user friendly. He thought some of the reports had too much information. Commissioner Spencer stated he would also like to see the format of the reports changed. Commissioner Steele would like to see items highlighted that would draw attention to specifics for review by the Commission. Commissioner Poston stated, as a new member of the Commission, he would like the reports kept simple. Chairman Beason asked staff to bring proposed format changes of the reports to the next NCTC meeting. He said the idea behind the changes would be to save the Commissioners time as they review the reports.

#### 2. Correspondence

- A. NCTC letter to the Chair of the CTC - Request support for NCTC's Corridor Mobility Improvement Account (CMIA) Project Nomination. 1/22/07, File 300.
- D. NCTC letters to State Assemblyman Rick Keene and Senator Sam Aanestad - Regarding NCTC's CMIA project and a request they help arrange meetings with Caltrans and CTC officials. 1/29/07, File 300.
- J. Letter from Senator Sam Aanestad to Chair Bergeson of the CTC - Regarding recommendations of projects to receive CMIA funding. 2/22/07, File 300.
- M. California Transportation Commission - CMIA adopted program of projects. 2/28/07, File 300.

Executive Director Landon drew attention to the pieces of correspondence listed above that reflected activity put forth to accomplish the approval of the SR 49 project in the CMIA program. He highlighted the activities performed and stated it was a team effort that achieved a positive result.

Commissioner Brady was also pleased with staff's efforts, and noted that the approval would not have happened without the follow-up of the Commission. Chairman Beason said that the proposal written by staff was identified as being one of the best written, and the only proposal that answered all of the questions raised in the format application. He believes the project was taken off the Caltrans Headquarters list due to political pressure, and he believes the project benefited by the CTC staff's astute observations and good judgment to get it back on the recommended list. Chairman Beason reported that the CMIA Workshop, which he testified at, had many distinguished leaders and elected officials from the large urban regions there to weigh in heavily for their region's projects. He said Nevada County's legislators helped to further the cause, as did several influential citizens, but he felt that the proposal was of such high quality that it was hard to say no to funding it, once the politics were removed.

Chet Krage, a citizen from south Nevada County and a member of the Citizens for Highway 49 Safety, thanked the Commission and particularly Executive Director Landon and Chairman Beason for their efforts in securing the \$18.5 million. He brought attention to the well written letters that were sent in support, and thanked them on behalf of the citizens of Nevada County.

- I. NCTC letter to Lt. Charles Whitmore of the CHP - Appreciation for increased enforcement of the speed limits on SR 49. 2/14/07, File 1200.4.

Commissioner Spencer referred to the second paragraph of this letter where it states, "...if there is anything that you would like our local officials to communicate to our state representatives to ensure that this level of effort is maintained in the future." He requested a letter be drafted to Nevada County's State Representatives stating that NCTC feels the service the CHP has given in the past has helped tremendously and ask them to do whatever they can to either keep the funding forthcoming, or to make sure the local CHP has the resources to keep this effort ongoing. The Commissioners agreed with this proposal. Executive Director Landon noted that Lt. Whitmore of the CHP sent him the 2006 statistics for SR 49 and the accident rate for 2006, as compared to the accident rate for 2005, was down 40%. Chairman Beason commented that the real difference in the accidents rates, he believes, is due to the CHP presence on the highway. Chairman Beason said he planned to meet with Lt. Whitmore in the future. Commissioner Dee requested that the State Commander of the

California Highway Patrol be copied on the proposed letter, since he was not copied on the previous one.

### 3. Executive Director's Report

#### 3.1 Regional Transportation Mitigation Fee (RTMF) Update

Executive Director Landon noted twelve policy issues that were identified and discussed at the February 21<sup>st</sup> RTMF Update stakeholders meeting. Chairman Beason requested that each point be discussed to allow comments and questions from the Commissioners.

##### 3.1.1 Fee Differentiation by Zone

Mr. Landon reviewed that Darren Henderson of PB Americas, Inc. proposed in the stakeholders meeting to compress the eight fee zones in Nevada County down to about four, consider alternatives to the project-by-project analysis methodology previously used, and look at the identification of project locations on a broader basis. The current methodology identifies traffic that would come from all of the zones through specific locations, as a basis for assigning fees. Mr. Henderson pointed out that this method overstated the detail and the ability of the model to predict things. Rather than the select link analysis previously used, he encouraged a more general approach as a basis for determining the amount of fee that would be applied to a particular project.

Commissioner Poston questioned if this would help predict cumulative impacts better. Executive Director Landon replied that he did not know if it would be better, but it is a different approach in allocating the fee. Rather than zeroing in on one location, it will spread the fee on a broader basis.

Commissioner Harris asked what the basis was for the recommendation to reduce the number of fee zones. She asked if there were other communities that do this, and what was the current thinking. Executive Director Landon replied that there are other communities that have done this. He brought up the comment that had been raised by the City of Nevada City, in how there seemed to be some inequity when residents east of Nevada City and the County area pay the lower fee rather than those who are in the city, since those residents have to come through the city in order to reach the urban area. Mr. Landon said that this concept of less fee zones broadens the area. Rather than isolating populations and indicating a certain fee share, it makes it a broader approach to where everyone pays a similar amount.

Commissioner Spencer questioned how the money is collected and transferred to NCTC for the eight fee zones. John Rumsey, Nevada County Department of Transportation and Sanitation, said the county administers a three component fee. One component is for local capacity projects for the larger areas like Lake of the Pines or Lake Wildwood, where there will be future congestion. He said the second component is a safety element to the fee, and the third is the RTMF fee. The RTMF fees are a component of the total fee collected and that portion is passed on to the NCTC. Mr. Rumsey noted there are currently eight fee zones, and South County (Zone 6) is divided into two sub-zones: the Alta Sierra area and the Combie/Wolf corridor.

Commissioner Brady stated he was pleased to see the concept of collapsing the eight fee zones because he believes there is an inequity in the process currently used. He said the Origin and Destination Study was conducted to clarify whether the outer zones were impacting Zone 8 in a greater amount than they were being assessed for. He thinks the outer zones have been under-

collected, so he feels the current study is moving in a positive direction. He is confident that the consultants are very reputable and will make sound recommendations.

Chairman Beason said at the beginning of this project there were concerns regarding the accuracy of the traffic model, whether trip generation rates were accurate, the issue of the outlying areas paying their fair share, and the issue of commercial versus residential fees. He would like the consultant to compare the current eight zone structure with the proposed four zone structure. Commissioner Harris stated that the decision to be made regarding the zones is a policy decision. Chairman Beason believes the comparison will allow the policy makers to clearly decide on the alternatives, but hopefully will not further complicate the initial goals or prolong the update process. Executive Director Landon reported that in the context of this discussion with the consultant, they were meeting with the stakeholders to determine what the key areas were that they should consider.

### 3.1.2 Fee Exemptions and Differentiation by Land Use

Executive Director Landon reported that this is a proposal to differentiate between residential and commercial fee levels, and to reassign a portion of the commercial fees in Zones 2-7 in lieu of an exemption for retail land use. Mr. Landon said the current fee program provides exemptions for commercial land use in the outer zones, due to potential services provided in outlying zones and limiting trips from that area into the Grass Valley/Nevada City Zone 8. He said what PB Americas, Inc. pointed out was that there are still trip generations associated with those land uses, so when you provide an exemption you are leaving a gap in the fee collection. What they are recommending for consideration is to assign a portion of that trip generation back to the residential land use in the outlying zones, so there is no deficit in trip generation.

Chairman Beason noted the philosophy behind the current fee system is that commercial activities developed outside Zone 8 reduce the amount of traffic that is impacting Zone 8. He commented that if the jurisdictions were to determine as a part of policy to charge fees for commercial land uses outside of Zone 8, it might lead to using RTMF money to mitigate the impacts of commercial land use in outlying zones. Chairman Beason cautioned that this is one of those, "be careful what you ask for," type of things.

Commissioner Brady questioned if the proposed process was to eliminate the "collecting hole", and put the trip generation fee collection on residential so the proportionality is improved. He said this would allow the commercial projects in outlying areas the benefit of building for a reduced fee or no fee. But then the dollars missed in that collection would be spread to the residential in the outlying area, or the residential fee as an aggregate to all residential fees throughout the county. Executive Director Landon responded that it would be in the particular zones where the commercial building took place. He said it is a proposal to be considered and the specifics are not yet identified. Commissioner Brady commented that he thought there was good logic in the proposal to not ignore the additional trip generation created in new commercial development in the outlying areas, and it would be mitigated by the RTMF fees. He said it still provides an incentive for the commercial projects in those areas and provides a shorter trip generation than travel to Zone 8.

Chairman Beason stated if the thinking is that it is preferred to limit additional trip generation into Zone 8, then it is a good proposal. He questioned whether they will be taxed in Zone 8 for some of the mitigation of Capital Improvement Projects. He asked if there is logic to say, for example, when they build something in North San Juan or Penn Valley, would it be equally considerate to allow use

of some of the RTMF funds in those projects that are not used currently. Chairman Beason posed the idea as something to think about and resolve at a future date.

### 3.1.3 Existing Need

Executive Director Landon said the Existing Need is a key component of mitigation fees and law, since you can only require new development to mitigate those impacts which they create. In the current program an analysis was conducted of several intersections in Zone 8, determined their current Level of Service (LOS), set that as the standard, and then tasked new development with improving those intersections when they fell below LOS D. He said as the update progresses, there needs to be an appropriate methodology that requires new development to mitigate its impacts, but also protect new development from mitigating impacts it does not create.

Commissioner Steele mentioned that as new development goes in, there are opportunities for those projects to have broadband communications. He said it is stated in previous studies that development of buildings and housing projects with broadband capabilities generate less trips than those that do not, because people shop online and use e-government services. Commissioner Steele questioned if there would be any provision in this new fee development to consider this and assess some of these fees. Executive Director Landon said he would pose the question to the consultant if there is a way to quantify the trip reducing effects of broadband service.

Chairman Beason is concerned about how existing development affects the impacts. One of the things he would like to see NCTC get away from is when one of the jurisdictions conditions a project, those conditions are between that entity and the project applicant. He said the Commission cannot allow jurisdictions to expect to use RTMF funds for those projects, when there is a set formula and list of projects that the funds are previously designated for. He would like this policy issue discussed at some point in the update process.

### 3.1.4 Time Period Analyzed

Executive Director Landon reported that PB Americas, Inc. is recommending that the process continue to use PM Peak period demand as the indicator of what the size and location of the improvement needs to be, but then to use daily travel as a basis for setting or spreading the fee levels across the zones. He said the City of Grass Valley has utilized this concept in their mitigation fee program.

Commissioner Brady stated that there are many peak hours in Zone 8, and he feels the traffic that arrives in the morning and circulates throughout the day is not recognized in a PM Peak study. He thinks that Tim Kiser's use of the Average Daily Traffic (ADT) in Grass Valley is a better number to use for trip generation estimates. He likes the move away from just considering the PM Peak period.

Commissioner Poston asked if the PM Peak period is the worst case scenario in the day. Executive Director Landon responded yes, and when an intersection or road is studied they determine what the worst case scenario is and then design to fix the worst case conditions. He said when they spread the fees, it recognizes that there is additional circulation that occurs throughout the day, so the ADT is the basis for how the fees are set by zone.

### 3.1.5 Substitute Projects

Executive Director Landon reported that in the current RTMF fee program, there is a list of identified projects that will be constructed and there is also a list of substitute projects. The substitute projects are identified in areas where potential growth could occur if Special Development Area (SDA) projects are approved. This process eliminates having to amend the Capital Improvement Project (CIP) list if an area were developed that currently is not populated. Mr. Landon said that PB Americas, Inc. does not think this is the optimum approach to deal with this scenario. They recommend a broader approach to the modeling by looking at corridors and areas where improvements would be needed, and eliminate the substitute list.

Chairman Beason clarified that any project identified as valuable to the transportation system would be included in the CIP list. Commissioner Spencer would like to have the ability to do substitute projects because areas change. He said it would be good to have the latitude to do a substitute project since you cannot foresee every situation that will occur.

Commissioner Brady said his concept of this recommendation was that substitute projects would not be removed, but would be moved into the CIP, and then the RTMF amounts would be raised for collection. He stated that would allow flexibility, based on the funds collected, to choose what is considered the appropriate project to build. Executive Director Landon said there are also the details of land use in the General Plan to consider when choosing projects to build. Mr. Landon said it is also necessary to show the nexus of why the projects are needed. He said when the program is reviewed and updated on a regular basis, there would be the flexibility to make a change if a General Plan is amended and indicates new criteria for land use.

Chairman Beason said he thinks there needs to be priorities, but still have the flexibility to invoke changes. One of his concerns is that priorities are set and then they are changed based on short term occurrences. He would like to see that more stabilized, but still include the opportunity for flexibility to add projects to the CIP list. Executive Director Landon noted that he would provide all of these comments to the consultants so they know the concerns as they go through their process of review. Chairman Beason said the Commissioners are encouraged to attend the Technical Advisory Committee (TAC) meetings and the stakeholders meetings on the RTMF Update.

### 3.1.6 Fee Credits

Executive Director Landon reported that in keeping with development fee law, it is recommended to continue to provide fee credits or project cost adjustments for projects that are within the RTMF program that are completed using alternative means. He explained that if a developer pays for more than his share of the project, he will receive a credit for it.

### 3.1.7 Fee Per Trip and Generation Rates

Executive Director Landon reported that the current policy is to utilize the ITE (Institute of Transportation Engineers) Manual rates as the basis for assigning trip generation to developments. He said the consultant's recommendation is to continue that policy. He remarked that there was some discussion about a different type of land use that might come in and might not fit within the parameters of the current ITE guidelines. It was noted that within the current program there is an ability to allow developers to provide alternative analyses that shows specific trip generation for a

development of their type, and that could be accepted and utilized by the jurisdiction that is permitting the application.

Commissioner Steele noted that the ITE Manual refers to a “typical community”, and he stated that western Nevada County is not a typical community. He said Nevada County demographics show 29% of the population is over 60 years old, and you will not find that in any other county in California. He would like the consultants to take the senior population demographics into account, and not just apply the standard ITE model.

Commissioner Poston said he assumed the numbers would always be adjusted downwards, based on the applicant’s perception of his project. Executive Director Landon responded that was not true. If the applicant is not choosing to use the standard methodology, he is taking the risk that if his methodology shows that there is a higher trip generation, then that is what would be used. Chairman Beason said you could make the case that retired people have more time to travel around. Commissioner Brady asked if the fee is per trip, so they address proportionality. Mr. Landon responded affirmatively that it is a per trip basis.

### 3.1.8 Horizon Year

Executive Director Landon stated that due to Federal requirements under the air quality status that Nevada County contends with, the previous model had looked at 2027 as a horizon year. Now they are moving the horizon year out to 2030.

### 3.1.9 Level of Service Standard

Executive Director Landon reported that it has been recommended to maintain the standard at the current LOS D as the minimum acceptable level. He stated when the original fee program was developed, both LOS C and D were looked at. He said there is currently a \$20 million list of capital improvements, and when they looked at mitigating that to LOS C it almost doubled the cost of mitigation, so they chose LOS D as the standard.

Commissioner Harris raised the question as to why cost would be the only criteria. She asked if there isn’t a reasonable or acceptable minimum standard in other geographies. Mr. Landon responded that LOS standard is very specific to each community and what they are willing to pay in their market place. He said if the three local jurisdictions that participate in the RTMF program would desire to raise the LOS and increase the cost, it could be done. The policy decision that was made when the program was set up was that it was more reasonable and acceptable at LOS D, based on the level of service the community would enjoy. Commissioner Harris said this may generate more comments in the future, in terms of if the right thing is being done for the public to recommend LOS D.

Commissioner Steele said to look at the definition under the federal documentation for level of service. He stated the document clearly says the level of service should be defined by the community of which it is being applied. He said there is no standard level of service to go to. Commissioner Harris said that is clear, but she is saying it is the job of this group to decide what is reasonable for the community. Commissioner Steele replied that it is important to define what LOS D really means, because in the public’s mind LOS D may be perceived as not acceptable when you think A – B – C – D. He believes it is important to educate the public as to what LOS D represents.

Commissioner Spencer said if you look at the City of Grass Valley and Nevada City with their narrow streets and the population living there, you would never achieve LOS A, B or C. He mentioned that new developments could be required to build wider roads in the future, so LOS C could be attained when you create a better level of service as you build. Executive Director Landon said he would ask the consultants to differentiate the costs and impacts associated with LOS C and LOS D so the Commission can make a decision as to what is appropriate.

Chairman Beason said the Nevada County General Plan indicates LOS C for the unincorporated areas and the City of Grass Valley General Plan has LOS D, so it would be advantageous to comply with what is in the General Plans. John Rumsey, Senior Civil Engineer with the Nevada County Department of Transportation and Sanitation, remarked that the County's General Plan assigns LOS D to areas within the community such as Penn Valley, Lake Wildwood, the Combie/Lake of the Pines corridor, as well as the Grass Valley and Nevada City areas. He said LOS C is assigned to the rural areas. He remarked that most cities in California have LOS D as their standard, and some even use LOS E because of constraints that do not allow attainment of LOS D. Chairman Beason said Nevada County has intersections that are failing at LOS F for one to two hours a day.

### 3.1.10 Minimum Criteria for Inclusion in Capital Improvement Program (CIP)

Executive Director Landon said that during the stakeholder meeting they discussed the minimum criteria already in place for the CIP, and the option of expanding that criteria so there are more facilities appropriately addressed in the RTMF program. The discussion included the idea to consider a broader range of facilities and also include state highways. He said with that thinking it could be inferred that new development would be required to pay for the widening of SR 49, but that is not the intent. What was behind the concept was that Caltrans is requiring local communities to provide funding for state highway improvements, but the requirement of nexus under the mitigation fee law applies so Caltrans cannot require local communities to make new development fund improvements to state facilities "above the level at which they impact the state facility". Mr. Landon's example for SR 49 was that the current two-lane facility operates below standard, so before you include SR 49 into the RTMF program, the existing deficiency must be addressed. To accomplish this you would add two more lanes to provide a total of four travel lanes on the highway, and that would alleviate the existing deficiency. Then you apply the traffic that comes from new development and determine if any improvement to the facility is needed. Based on the General Plan traffic analysis, four lanes with a center left turn lane would be adequate throughout the life of the General Plan. Therefore, there would be no nexus for new development to be required to widen SR 49 beyond four lanes. Executive Director Landon continued that this situation would show there has not been an impact created on a state facility by new development because it was resolved by eliminating the existing deficiency. He said that when there is a need to go before a body such as the CTC and request funding for a state facility, it can be pointed out that the County has addressed the issue of providing appropriate local funds for the State Highway System.

Commissioner Brady commented that this was confusing because it states that these regional facilities would be included in the CIP. Mr. Landon said they could be included in the consideration of the RTMF program, but only the portion of the cost that is attributable to new development after the existing deficiency is eliminated. Chairman Beason said what Mr. Landon just described is not the same explanation as was written in the Executive Director's Report. Chairman Beason stated this is a policy decision for the Commission, and Mr. Landon agreed. Executive Director Landon stated that PB Americas, Inc. was not setting a policy, they were only saying that they would consider this when they develop the report for the Commission. Commissioner Brady stated he



understood PB Americas, Inc. to say in the stakeholder meeting that there were no changes to this policy; they would only be looking at all the ramp connections as we currently consider them under regional projects. Mr. Landon said that was their first comment when they sent a draft paper to be used as a point of discussion for the stakeholders meeting. What Mr. Landon was pointing out was that in the meeting there was a discussion about looking at potentially including state facilities. Chairman Beason said the problem he perceives is this is the first the Commission has heard of this proposal. He stated one of his concerns is the amount and the scope of the RTMF Update contract that is in place currently, in terms of the potential of all these things being “good ideas” to start incorporating. He is concerned that soon the update will be beyond the original scope and funding. Chairman Beason also said there is a time issue because the update is well beyond the original dates set to complete and implement it, but he also does not want to detract from the quality of the update.

Commissioner Brady said the Commission will have the opportunity when the CIP is developed to include or not include a given project. He asked Executive Director Landon that if by addressing that issue, it makes a greater possibility for acquiring STIP funding. Mr. Landon said that is the logic behind this idea. Commissioner Brady said it was his fear, when he read the proposal, that it would supplant STIP funding by stepping forward and offering to do what he felt was the state’s responsibility. Mr. Landon said that was not the intent, but it is a policy level issue.

In response to the concern about lengthening the process, Executive Director Landon spoke with Jason Pack of Fehr and Peers and asked him if this consideration would add to the scope of their work or timeframe and he said it would not. Mr. Landon stated he clearly designated to Fehr and Peers that he needs to know at any point if anything the Commission or stakeholders suggest is going to change the scope or increase the cost of the study, before they do any work. Chairman Beason said that any modifications to the contract need to come before the Commission. He said he would like to add that there are possibilities in any community where you could have some proposed development in which the total cost of any improvement might be born by that developer, outside of the RTMF. Mr. Landon agreed. Chairman Beason would like to not repeat some of the things done in the past, like embellishing projects in one entity and then look to RTMF funds to take care of it. He would like to see whoever is responsible for the embellishment to pay for it.

Executive Director Landon said in the same light when you know that SR 49 is substandard, and it is brought up to the appropriate standard, then new development does not have a requirement because the standard after the improvement is not diminished by new development. That is not to say that a new development along the highway would not be required to provide turn lanes into the development, or appropriate localized improvements that were necessitated by that particular development. Chairman Beason stated that he and Commissioner Brady were concerned that the wording of the proposal indicated a stretching of RTMF funds to widen state highways.

#### 3.1.11 Annual Review and Cost Escalation

Executive Director Landon said the discussion indicated that there needs to be an annual review of the program to be sure it is on track, and a cost escalation built into the program for normal inflation. This will allow the program to move forward in an administrative manner and not require comprehensive and lengthy updates. Commissioner Brady applauded the idea of including a process to address inflation so the numbers are automatically increased as a normal procedure for the yearly update. He asked Mr. Landon to educate the Commission at a future time about the issues behind why it is not allowed to have inflation indicators on certain state projects, such as the Dorsey Drive Interchange, and how this problem could be avoided in the future.

### 3.1.12 Administrative Costs

Executive Director Landon recognized that as the fee program developed, there is an administrative burden born by the Commission staff, and that cost is to be included into the fee program calculation so the Commission is reimbursed for its activities.

Executive Director Landon reviewed the “Other General Comments Discussed” from the stakeholder meeting and said there is an idea that a methodology should be considered that would provide some return to source. He gave an example that if the county generates 40% of the RTMF funding and the City of Grass Valley generates 50%, and there are some key city projects that are regional, then the idea is to consider giving the city some return to source in the prioritization and setting of projects so those regional projects might be done sooner rather than later. He said the idea does not have further definition at this point, but it is just a consideration to help jurisdictions get a level of funding commensurate with their effort. Chairman Beason asked what the parameters would be to establish the methodology. Mr. Landon responded that he will leave that to the consultant to recommend.

The review continued with the comment of looking at ways to deal with low project cost estimates by adding a contingency factor to the CIP cost estimates. Mr. Landon said that is something that could be done and he thinks would be prudent, particularly as you recognize the cost escalation that has been experienced in the last few years.

The third general comment was to consider tiering/prioritization of the projects in the CIP, or establish a “set-aside” for certain large projects. Mr. Landon said the idea behind this is that if Dorsey Drive Interchange is the big project, not every dollar is collected for that project until it is constructed because it is a long term project. Other projects would also received RTMF funds and be constructed while funds were being set aside for the larger projects.

Executive Director Landon restated that these are not policies, but are ideas for consideration that could be developed as the update process unfolds.

Chairman Beason requested that the RTMF Update be included on the May and July agendas as a separate item for discussion and review. He added that there may be a need for a special meeting to discuss this topic. He reminded the Commissioners that there will be only a few opportunities to meet in order to discuss and decide on some conclusions for the RTMF Update.

### 3.2 Dorsey Drive Interchange

Executive Director Landon reported that a Value Analysis study was conducted to enhance the value of the project by increasing benefit or eliminating unnecessary cost. He said there were nine items that the team identified as potential benefits or cost savings. Mr. Landon stated the report is being drafted and is due out by Caltrans District 3 staff during the week. They will then review the report and determine which recommendations are implementable.

### 3.3 SR 89 “Mousehole”

Executive Director Landon stated that the Truckee Town Council has given some guidance to the project team regarding further alternatives that need to be carried out in the Project Approval and

Environmental Document phase of the project. Listed in the Executive Director's Report were some of the recommendations and the project team is proceeding forward.

### 3.4 East Main St./Idaho-Maryland Road Intersection Improvement Project

It was noted by Mr. Landon that Grass Valley City Engineer, Tim Kiser, reported that the project design is 50% complete and selection is underway to get a consultant to do the Environmental Document. Plans for relocation of utilities are underway.

Commissioner Spencer asked if Bickett Engineering, Inc. was still involved in the design phase of this project. Mr. Landon responded that Whitlock Weinberger Transportation, Inc., an engineering firm out of Santa Rosa, is doing the final design. Commissioner Spencer asked if Bickett Engineering, Inc. laid the ground work for the final design or were they supposed to do the original design. Mr. Landon responded that the contract with Bickett Engineering was a multiphase contract; the first phase was to provide a Project Study Report, which laid the groundwork for further work to be done. Subsequent phases would have taken the project through to completion. The requirements needed to enter into those subsequent agreements were not executed, as the circumstances changed when the City of Grass Valley took over the project.

### 3.6 Bicycle Master Plan Update

Mr. Landon noted there had been two public workshops conducted by the consultant, Alta Planning + Design; one in Truckee and the other in Grass Valley that were well attended. The completion of this plan will provide the opportunity for Nevada County to submit grant applications to compete for statewide funding that totals approximately \$5 million per year.

Commissioner Spencer asked how the Bicycle Master Plan interfaces with the Master Trails Plan that Nevada County staff is working on. Executive Director Landon replied that the Bicycle Master Plan is a document that is focused on acquiring funds from the State Bicycle Transportation Account for paved facilities. There is a distinction between recreation and commuter uses for this specific funding source. Mr. Landon said the consultant will identify trailheads and other connecting points between the recreational trails and the more "transportation oriented" trails.

Chairman Beason said he knows there is a growing segment of citizens who would like to see more bicycle lanes and he supports that. One of his concerns is there are some bicycle lanes available, but you do not see many bicyclists using them. He asked if that type of issue comes up in these meetings. Michael Woodman, Transportation Planner and Project Manager for the Bicycle Master Plan Update, responded that does not necessarily come up. Mr. Woodman said bicycle advocates usually state that if they had safer facilities, they would ride, and that is more of what they are asking for in these meetings and on the surveys. Specifically, they have asked for a safe facility to travel between Nevada City and Grass Valley. He noted that he has seen more and more people traveling by bicycle and using the facilities. Mr. Woodman believes that through the adoption of the Bicycle Master Plan and by making projects eligible for the Bicycle Transportation Account funding, there will be an increase in bicycle ridership.

Commissioner Poston stated he attended the public workshop in Grass Valley, and his observation was that, overwhelmingly, the bicyclists biggest concern was they do not feel safe biking on the streets and roads. Many of them said if there were additional and safer facilities, they would use them. Chairman Beason questioned how to deal with fast moving traffic alongside the bike lanes.

Commissioner Poston said there was discussion about how to build a bike lane and how to use striping and various means to differentiate the bike lane from the road, which is not being done very well at this point. Chairman Beason said some communities use signs to alert motorists, and he thought that might be a good first step. Commissioner Poston congratulated the consultant for a great job at the workshop. He noted that the bicycle advocates are a bit pessimistic because there has only been “talk” of improvements for a long time and nothing has been added or improved. Hopefully action will follow once the master plan is completed and the County is able to secure funds for some of these projects.

### 3.7 Transit Transfer Facility Site Location Study

Michael Woodman reported there would be a project kick-off meeting that week with the consultant, LSC Transportation Consultants, to review some of the key issues. Then the consultant would begin work on the project.

### 3.8 Fiscal Year 2006/07 Transit Needs Assessment

Executive Director Landon noted that he diverted Mr. Woodman’s activities from the Transit Needs Assessment to devote more time to the preparation of the CMIA project. The assessment will be brought before the Commission at the May meeting.

## 4. Caltrans District 3

### A. Project Status Report – Winder Bajwa, Caltrans Project Manager for Nevada County.

Winder Bajwa introduced Rick Helman as the interim Project Planner from Caltrans.

Mr. Bajwa gave a brief summary of project activity that has occurred since the last NCTC meeting.

- *Safety Realignment and Widening of SR 20* – The project is under construction and the total cost is \$36 million. Mr. Bajwa said the project is scheduled for completion at the end of 2008. The project has benefited by the good weather this winter.
- *Dorsey Drive Interchange* –Mr. Bajwa noted that Executive Director Landon briefly commented on the Value Analysis conducted in March. He reported that the concerns raised by the City of Grass Valley have been addressed and the modified design concept was approved by the City Council and NCTC in February. The final design is being worked on. The Project Report and Environmental Document are being updated, and the cost estimates have been updated with the modified scope. The right-of-way maps are being created as well. Mr. Bajwa added that the Value Analysis Report would be completed that week.

Commissioner Poston said the new design was approved for the Dorsey Drive Interchange and then the Value Analysis was conducted. He asked if any key components were lost through the process that the Commission should know about. Winder Bajwa responded that they gave the analysis team the footprint design that was approved by the City and NCTC, and they should work within that framework. He said the elements that were recommended are within the footprint, so the design concept should not change. Commissioner Poston asked if there was any loss to the bike lane, and Mr. Bajwa responded there was not.

- *Truckee SR 89 Mousehole* – Mr. Bajwa reported that the project was reviewed at a Town Council meeting on February 15<sup>th</sup>. They discussed the alternatives and chose three alternatives for further study: #1 – single pedestrian and bike bore; #4 – new clear-span structure with two and four lanes of traffic; #5 – new concrete structure with center columns and two and four lanes of traffic with a median. The project cost will be updated according to the work needed to complete further studies. He said the next steps are to do the technical studies and circulate the Environmental Document to the public.
- *Safety Project to Install a Rumble Strip on the Centerline of SR 49 from Combie/Wolf Road to Grass Valley* – Mr. Bajwa noted that the project is completed.

Bruce Jones, Citizens for Highway 49 Safety, questioned the comment that the rumble strip was finished. He had the understanding there was going to be a thermoplastic applied to the strip and he did not think it had been applied. Mr. Bajwa said he would check on that with the resident engineer. Mr. Jones said he has received many positive comments from the drivers on SR 49 feeling much safer with the rumble strip. He mentioned his appreciation on behalf of all citizens, and the incredible improvement it has accomplished.

Commissioner Spencer stated he noticed on the painted islands that the contractor scored both sides of the island at the double yellow lines and they only applied the rumble strip on one side of the island. He thought they were not finished and were going to come back, or the job was changed as a cost savings, or the county was short changed. His concern was if the rumble strip is applied to one side only of an island and a car veers off of the lane, they will only hit the rumble strip in the lane that has it before the island; the other side would have to travel through the painted island before it gets to the rumble strip just before they enter into the opposite lane. Mr. Bajwa said he would get back to him on this issue and what the resident engineer has to say. Commissioner Spencer added that the rumble strip appeared along some of the sides where they intersected or where there was a one inch drop in the pavement. He thought they cut corners on the rumble strip in those areas.

- *SR 49 Five Lane Widening at the La Barr Meadows Road Intersection*

Mr. Bajwa reviewed that the project is to widen SR 49 to a four lane highway with a left turn lane and eight foot shoulders. It is located one-half mile north of Alta Sierra Drive to one-half mile south of Rosewood Way, and is one and one-half miles long. He reported that funding came from the 2004 STIP cycle for the project, and there is additional funding currently proposed through the 2007 STIP Augmentation and the CMIA to fully fund the project. Mr. Bajwa said the Project Approval and Environmental Document will be completed in October 2007, right-of-way acquisition will begin in Spring 2008, the design will be completed in 2008, construction will begin in Summer 2009, and construction will be completed in 2011.

Mr. Bajwa displayed a map of the project and described the proposed changes and improvements, which includes new access to SR 49, as frontage roads and La Barr Meadows Road all funnel into a signalized intersection between the fire station and the church. It was noted that by consolidating the driveway access to SR 49 and adding frontage roads, it will potentially reduce the collision rates, improve traffic safety and operations, and also allow safer access for fire trucks on and off the congested highway. The map displayed the widening transition points from two to four lanes and back to two lanes, and a location where the horizontal curve will be modified for better sight distance. Mr. Bajwa described how the mobile home parks on both sides of SR 49 would access the

highway through the frontage roads. Mr. Bajwa said in some areas they will be repaving and widening the existing roadway, and pave existing dirt roads and emergency exits that are currently used by local traffic. He said the Nevada Irrigation District canal runs through the project and the design makes the least impact as possible to the canal.

The design showed areas for proposed sound wall barriers between the shoulder and the frontage roads, as recommended by the Caltrans Technical Study. Chairman Beason said he was not sure if the community would be enthusiastic about sound wall barriers, and he would ask that the Design Team not spend much time on this until the community has an opportunity to share their preferences and concerns. Mr. Bajwa responded that they will be presenting this information to the public this summer in a workshop, and if the public does not want sound walls, then Caltrans will tell the Federal Highway Administration (FHWA) the locals do not desire the sound wall barriers. He is convinced they could talk FHWA into removing them if the citizens do not want them. Mr. Bajwa said at this point in the process, they have to keep the sound walls in, to allow the public an opportunity to comment on them. Chairman Beason stated that he would not like the process to become policy. Commissioner Spencer said he will be in attendance at the workshop since the project location is in his district.

Commissioner Spencer asked if it was certain that this project would go forward with this design. Winder Bajwa said the funding is proposed, there is a 99% probability that it will be approved by the CTC, and Caltrans District 3 Management has approved the design and concept. Chairman Beason said the Commission needs to be vigilant about protecting the CMIA funding because the project is still vulnerable until the legislature appropriates the money. He mentioned that Nevada County's state legislators have been alerted to this, as well as a few citizens who have some influence at the state level.

#### CONSENT ITEMS

6. NCTC Minutes: January 17, 2007. *Approved.*
7. NCTC Minutes: February 14, 2007. *Approved, as corrected.*
8. Revised Findings of Apportionment for 2006/07 and Preliminary Findings for 2007/08. *Adopted Resolution 07-05, approving the revised findings of apportionment for the 2006/07 FY. Adopted Resolution 07-06, approving the preliminary findings of apportionment for the 2007/08 FY.*
9. Nevada City Allocation Request for Deferred Revenue: *Adopted Resolution 07-07, approving the City of Nevada City's request for \$32,588 of Local Transportation Funds, identified as deferred revenue in the 2005/06 fiscal audit, to be reallocated for pedestrian/bicycle safety improvements.*
10. Grass Valley Allocation Request for Deferred Revenue: *Adopted Resolution 07-08, approving the City of Grass Valley's request for \$60,000 of Local Transportation Funds, identified as deferred revenue in the 2005/06 fiscal audit, to be reallocated for the Alta Street Sidewalk project.*
11. 2007/08 FY State Transit Assistance Apportionments: *Adopted the apportionment table as a basis for allocation from the State Transit Assistance Fund for the 2007/08 FY.*

Commissioner Dee abstained from Items 6 and 7 since she was not a member of the Commission for those meetings. Commissioner Poston abstained from Item 6 since he was not present at the January NCTC meeting. Chairman Beason pulled Item 7 to make a correction on page three of the February 14, 2007 Minutes. He asked that the word predominant, in the first paragraph, be changed to prominent.

Commissioner Spencer made a motion to approve Item 7, NCTC Minutes from the February 14, 2007 meeting, as corrected. Commissioner Poston seconded the motion. The motion passed with one abstention from Commissioner Dee.

Commissioner Steele made a motion to approve Consent Items 6, 8, 9, 10, 11. Commissioner Brady seconded the motion. The motion passed with abstentions from Commissioners Poston and Dee on Item 6.

Chairman Beason recessed the meeting at 10:09 a.m.

Chairman Beason reconvened the meeting at 10:16 a.m.

### ACTION ITEMS

#### 12. Public Hearing: 2006 State Transportation Improvement Program (STIP) Augmentation

Executive Director Landon stated that every two years the State updates its STIP program, which is a listing of projects throughout regions in the State. He said in order to accomplish that update, areas like Nevada County are given a fund estimate of a target amount that they can apply for in that program. They are then asked to submit projects to the State for their approval. Mr. Landon reported that with the adoption of Propositions 1A and 1B last November, there was additional funding funneled into the STIP, so this is an opportunity to augment that program. The recommendation before the Commission was to provide funding for the SR 49/La Barr Meadows Road project that will fully fund the project. Mr. Landon explained that the \$18.5 million recently allocated to this project from the CTC was designated for use on construction activities only. In the project there is approximately \$3.6 million of preconstruction activity, right-of-way planning, etc., that was not included in the \$18.5 million. He said Caltrans District 3 has communicated to the NCTC staff that if they would seek \$1.8 million in the Regional Transportation Improvement Program (RTIP) submittal for the STIP Augmentation, Caltrans would do likewise from the Interregional program, and then the project would be fully funded.

Executive Director Landon said the recommendation before the Commission is to fully fund the SR 49/La Barr Meadows Road project by utilizing the \$1.8 million opportunity from the RTIP Augmentation. He said in adopting the \$1.8 million there is one policy action the Commission is being asked to consider. Last year in the RTIP submittal, the Commission identified \$1.4 million as a reserve for Transportation Enhancement (TE) projects. Two of the TE projects previously completed in Nevada County were the Transportation Museum and refurbishment of the Bridgeport covered bridge. Mr. Landon went on to say that the funding of the SR 49 widening project is critical, and it is possible to utilize the TE reserve now to fully fund the SR 49 project. There will be more money available in the next TE cycle. He said the other option is to maintain the reserve and ask for an advance against future funds. It is up to the discretion of the Commission as to which option they prefer. Mr. Landon said he discussed these options with the CTC staff and they thought

the CTC would probably approve either option, given the \$18.5 million commitment already made by them. He noted that the Commission is just coming out of a situation where there was an advance, so by utilizing the TE reserve there would be a more sound footing for other projects in the coming cycle.

Chairman Beason said he believes this is an opportunity to get a project done, and we should utilize all available funds to move the La Barr Meadows Road project forward.

Chairman Beason opened the public hearing at 10:21 a.m. on the 2006 STIP Augmentation. No comments were made. The public hearing was closed.

Commissioner Spencer made a motion to adopt Resolution 07-09, which includes the request to release the current \$1.458 million reserve of TE funds to be utilized for the SR 49 widening project at La Barr Meadows Road. Commissioner Steele seconded the motion.

Commissioner Harris commented that she supports this action because it is an extraordinary circumstance, but she does not want to set a precedent to use future TE funds on larger and more significant projects. She believes the Bridgeport project and the Transportation Museum were valuable to the community as well. Chairman Beason agreed, but he also acknowledged the need to utilize funding while it was available to the county.

There was no further discussion. Chairman Beason requested a roll call vote. The motion passed unanimously.

### 13. Proposed Projects for 2007/08 Overall Work Program

Chairman Beason stated that the approval of the 2007/08 Overall Work Program (OWP) would also approve the budget for the upcoming fiscal year. Executive Director Landon stated that the action before the Commission for this meeting was to review the document and give direction to staff to circulate the 2007/08 OWP to member agencies. Mr. Landon said the draft includes a list of objectives for the coming fiscal year and the document notes which ones would be accomplished in the 2007/08 OWP.

Executive Director Landon asked for comments or proposed modifications to the OWP. Commissioner Steele commented that he thought the four goals stated at the end of the report could be put on the first page. He would like to have the goals communicated to the public, so they have a better understanding of what transportation planning is proposed in the county for the coming year. Mr. Landon said, based on Commissioner Steele's comments, he will work with staff to prepare a press release regarding the 2007/08 OWP to communicate the plans and goals to the community.

Chairman Beason remarked that it is known he does not like the current format for the Regional Transportation Program (RTP), so he would like to see a more user friendly format when the next update is prepared. He asked how often the Commission reviews arrangements with auditors, attorneys and consultants, since they appear to roll over from year to year. He asked if it is possible to open the door to seek new bids on these types of professional services. Executive Director Landon replied that fiscal auditors are sought every three years. He noted that NCTC's previous attorney was contracted for seven or eight years, and a new attorney was secured less than two years ago. He said with regard to consulting contracts, the Commission generally goes out to bid, unless there is a specific need or purpose to go for a sole source contract. Mr. Landon noted that the



Commission has had PRISM Engineering on retainer for a number of years as Traffic Engineer, and that could be looked at if the Commission desires. He also noted that in the upcoming OWP, staff plans to update the Policies and Procedures Manual, and the Personnel Policy, so that would be a good time to consider changes to the current procedures and practices. Chairman Beason believes it is healthy for the Commission to have an opportunity from time to time to review other capability options and pricing for services.

Chairman Beason brought attention to parts of the Policies and Procedures Manual pertaining to Professional Services Contracts and Purchasing. He believes the descriptions are very general and he feels that part of the Commission's obligation is to provide more support and oversight to the staff on contracts. He thought it would be helpful for Mr. Landon to prepare for discussion at the next NCTC meeting proposed language changes to the manual that would allow the Commission more review and direction capabilities to staff in these areas. Chairman Beason gave the example that in the manual it states the Executive Director can approve contracts that conform to the OWP, and he believes that wording is too broad and needs further definition. He believes the Commission needs to be more involved in the decision making processes as it pertains to the OWP and projects. Chairman Beason asked the Commission if they had any comments or objections to discussing this at a future meeting. There were no comments or discussion.

Commissioner Spencer made a motion to approve the circulation of the 2007/08 OWP for review and comment to the jurisdictions. Commissioner Harris seconded the motion. The motion passed unanimously.

#### 14. Crestview Intersection/Interchange Project Study

Chairman Beason reviewed that this item was discussed at the January 2007 NCTC meeting, as it pertains to the issue of the Commission holding funds for the project. It was questioned at that meeting if it was appropriate to send these funds back to the developers or allow the City of Grass Valley, who is the jurisdiction overseeing the project, to hold the funds. Executive Director Landon stated that he provided the Commission with an email response from Joe Heckel, Community Development Director for the City of Grass Valley. Mr. Landon said that Mr. Heckel communicated some key points needing discussion and review, such as, if the Commission desires to terminate the contract, he believes it would be beneficial to have a meeting with the stakeholders that includes Caltrans, the developers, and the City of Grass Valley, to determine how to appropriately close out the project and note what goals have been reached and what products have been provided. The stakeholders would determine if there is any final analysis needed to reach the goals that were set, and then determine the funds remaining that need to be returned.

Commissioner Brady reviewed that he would like to see a policy change implemented where NCTC does not become the lead agency in the future for traffic studies for new development. He does not want to further burden NCTC staff with additional work or expense, and questioned if the administrative reimbursement was adequate for staff time spent. He feels the Commission is looking retroactively at the Crestview project asking how they got involved and how to get out of the involvement.

Commissioner Poston said the staff and council in Grass Valley are surprised at the turn of events, because the Crestview project has been a part of the Grass Valley General Plan for a long time. He does not understand why the Commission did not recognize this policy disconnect in the beginning of the Crestview project, when the commitment was made to the SDA's to process this. He said

that: 1) Grass Valley does not have the capacity to lead this project. 2) He believes that when there is an interface regarding SR 49, it is completely logical to have the NCTC coordinate and administer those efforts. He believes that is why the NCTC exists. 3) He wonders if there are some legal ramifications involved, since NCTC has promised these SDA developers to oversee the project. Now the Commission wants to change their mind, and the developers have spent a significant amount of money on this project. 4) Commissioner Poston's overall desire is to see a Master Plan; he thinks the City of Grass Valley would like to see a Master Plan, and Nevada County would be a beneficiary of seeing a Master Plan, where there are known areas that will be focal areas of growth. He does not want to see things done piecemeal. He believes having a Master Plan in place allows the developer to match up their development with what the Commission feels is the criteria for major roadways and intersections, and how to access them.

Commissioner Spencer had a question from the January NCTC meeting. He said it appears to be appropriate for NCTC to do these kinds of studies, but until it is known how many parcels will be created or what each of those developments will look like, he believes a certain amount of time would be wasted dealing with the Crestview project until the impact is determined. He said if the City of Grass Valley could issue a letter to NCTC that makes some type of commitment as to how many parcels are going to ultimately be created at North Star and what the Catlin Property is going to look like, then the numbers could be used to do the study. He said nothing has been submitted and acted upon as yet, as far as the SDAs are concerned, and there is no determined date as to when there could potentially be a subdivision in the Crestview area. He asked if the City of Grass Valley could issue a letter that would include numbers for the Commission to act upon.

Commissioner Brady clarified to Commissioner Poston that not all the current NCTC members were seated when the Crestview project was adopted to administer activities. He stated that the current Commissioners did not understand the reasons and logic behind that decision, so Executive Director Landon explained the history and reasoning to the Commission at the January NCTC meeting. The Commission did not understand why the developers were not doing this study independent of the NCTC, since they were funding the entire study, and it seemed that NCTC was merely a funneling agent for the money. Commissioner Brady stated if there were correct logic as to why NCTC should remain the lead agency for the Crestview project, then he is confident that the Commission would entertain that. Commissioner Brady is curious as to why it would be necessary for NCTC to be the lead agent for any traffic study completed for a new development.

Chairman Beason believes it is bad business to handle new development traffic studies this way. He said there are some old agreements made that have put NCTC in the middle. He would like to see an entity hire a traffic consultant independent of the NCTC. He does not want anyone to believe that the Commission is aiding or opposing any particular project by involvement at this level. Chairman Beason said if it is the opinion that an agency should hold the Crestview project funds, maybe it should be the City of Grass Valley. Commissioner Poston commented that NCTC staff has the necessary expertise and experience to do this coordinating administrative function as it relates to SR 49 projects, NCTC is receiving an administrative fee for their involvement, the developers are paying for the project, and he does not think anyone is construing that NCTC is supporting any single SDA by this action.

Tim Kiser, Engineer for the City of Grass Valley, said he was speaking on behalf of Joe Heckel, Grass Valley Community Development Director, who had to leave the meeting for another commitment. Mr. Kiser said he believes the City looks at this project from a different aspect than a traffic study for a development. The City sees the Crestview project as transportation planning, and

the need to determine what is needed in the future at this location. He said the Crestview intersection affects more than two SDAs; it is every development in the SR 49/Crestview area. He believes this type of planning is what a transportation agency should be looking at. This is the mechanism that NCTC can insure development in the future pays their fair share, and how to allocate that cost to each development so improvements like this can be constructed. He thought Mr. Heckel was going to recommend the Project Development Team (PDT) get back together to determine how this project could be brought to a conclusion. One solution was suggested for the city to provide preliminary numbers to complete the traffic analysis, based on the General Plan. He suggested that a mechanism be set up to succeed. His concern is when you do not plan ahead of time to determine what the ultimate improvement looks like that is needed, and specify the necessary right-of-way to be relinquished to accomplish the improvement, you do not have a mechanism in place to require developers to set that aside. If this document is not done, you end up with controversy and a split of opinions, as was the case with the Brunswick/Sutton improvement recently. Mr. Kiser stated the Berriman Ranch development may also need a connection to SR 49, but if there is no plan to tell them where to connect and how to connect, the transportation planners are not looking into the future and are not providing guidelines and expectations to development, to be sure development is paying their fair share. He encouraged the Commission to allow the PDT to meet and evaluate solutions of how to bring the Crestview project to a close before a decision is made on the project.

Paul O'Sullivan, owner of the South Hill Village development, stated he is aware this is a policy issue. His desire was to address the detail of the project first and he thanked the Commission for that opportunity. He felt the original goal of the study has been achieved, which was to study where an interchange would be built if it were ever going to be needed. He said the reason for that was if there were any right-of-way necessary to commit for the interchange to be built, it could be set aside so new development would not occur on that land. He said there was a very exhaustive study conducted, fully funded by his company and North Star, and he believes that study is complete. The reasons for the delay in the Crestview project has been due to actions taken within the City of Grass Valley. Mr. O'Sullivan thinks it is very important to bring closure to the study, because the general public is not fully aware of the results of the study, and there is an ongoing blight out there now on potential homeowners in the area. He thinks the best course of action would be to bring the PDT together one more time. He spoke with the consultant who prepared the study, and he feels the study is complete. Alternative locations were studied extensively for a proposed interchange and that has been decided and designed. Mr. O'Sullivan believes that report should be brought before the NCTC, the County, the City of Grass Valley, and to the public in a formal way to provide closure.

Mr. O'Sullivan reported that during the several year process of study, other ideas and goals came about, and he would like the PDT to review and assess those goals to determine if they are still pertinent goals. In the meantime, the City of Grass Valley has made some very clear statements about its commitment to stick with the General Plan and the size of SDAs. He believes that some of those additional goals considered during the process can be determined to no longer be pertinent. He recommends that closure be brought to the Crestview project, and not just cut it off unfinished, since there is a commitment to the public and the two developers who funded the project. He said there are enough funds remaining to complete the process, and he has paid the administrative fee to reimburse Mr. Landon for his time also. He believes cutting the project off prematurely would be a mistake, so he requested that the study be completed and presented to all the groups and then close the project, all in a reasonably short amount of time.

In the bigger picture, Mr. O'Sullivan believes NCTC was brought into the Crestview project because it was a regional improvement that needed a regional view. He stated that his project does not trigger an interchange. He commented that the General Plan stated there would need to be an intersection or interchange, so there was a need to study the area further to determine the potential for an interchange. It was not in the purview to study an interchange, so the project needed a more regional context. In response to the comment that the SDAs are going nowhere, Mr. O'Sullivan stated that the application for South Hill Village has been deemed complete and moving forward, with an EIR underway.

Roger White, Regional Manager for Sanderson Company, Inc. and representative for the North Star project, stated that their project started out much larger and had many amenities, but it has been scaled back and redesigned to reduce traffic impacts. Mr. White agreed with Mr. O'Sullivan's request to bring closure to the Crestview study. He said that the North Star project is within about two weeks of being submitted with a new project design to the City of Grass Valley. The new project has decreased in scale and that could bring up some questioning as to the relevance of a Crestview Drive Interchange, since their traffic engineers are of a position that the project in the new design will not require a connection to Crestview at SR 49 whatsoever. As a result, they are interested in just bringing closure to the study.

Commissioner Spencer said he agrees with Tim Kiser's points. The Commission needs to think out into the future and do the planning, so he believes if the Crestview study is close to completion, then it should be finished. He would encourage the City of Grass Valley to go forward with their review of these projects so the study of an intersection versus an interchange can be based on the proposed number of parcels to be allowed. He said there appears to be no action being taken on the SDAs other than South Hill Village.

Commissioner Harris agreed with Commissioners Poston and Spencer to go ahead and see the study through to completion. She believes it would be disruptive and inefficient at this time to stop the study. However, she would like to address at some time the policy decision and appropriateness in getting involved in this type of project in the future. Chairman Beason agreed that he would like to bring that discussion forward along with the contracting process.

Commissioner Brady thanked Tim Kiser for his explanation that provided a better understanding of how and why NCTC was involved with the Crestview project, and he said he could see the wisdom in NCTC being involved in this planning process. He did not think the intent was ever to not complete the project, but to discuss the policy behind the involvement. He asked Mr. Kiser directly about NCTC's involvement in the most recent traffic study done for a small development in Grass Valley that he does not consider a part of the regional planning system. His question was where is the line for NCTC to be involved in traffic reports and where is the line to say that a certain developer be responsible to have their own consultant do the work and not burden NCTC with the work. Mr. Kiser responded that he feels that is ultimately a decision for the Commission. He believes in this case with Crestview, it is an interchange on a freeway that affects numerous parcels, and it would be shortsighted to just look at two SDAs to determine there are no improvements needed at Crestview when they go forward with their projects. At some point the improvement will be triggered, so he feels it is important to look at all projects that have large ramifications on numerous parcels. He believes an individual project should have an individual traffic study in addition to a regional planning traffic study like the Crestview Intersection/Interchange project. Mr. Kiser said ultimately it is a Commission decision. Commissioner Brady said the Commission would be looking to Executive Director Landon for guidance on this when someone comes forward with a

request. Mr. Landon stated he does not think there is a definite line of always doing one type of project over another, but he acknowledged the consensus of the Commission regarding smaller development projects. He stated that in the past, since NCTC maintained the only traffic model, there was a desire for NCTC's services to be utilized, but that is no longer the case with Grass Valley developing their own traffic model. He said if it is the desire of the Commission to discontinue that type of activity in the future that could happen.

Josh Susman, citizen and past member of the Commission, commented there has been an ongoing discussion for years regarding alternative locations for an interchange at the junction of Crestview Drive and SR 49 as part of a regional solution that has been to no avail to the community at-large. He also brought attention to the comment by Mr. White of the North Star project that with the redesign of their project there is no longer a need for an interchange because of the downscaling of their project. He cautioned the Commission as they approach closure of this study, and now private consultants have been hired by developers, that the Commission does not have their worst fears realized.

Executive Director Landon remarked that the principal goal that was not achieved on this study would be the determination of pro rata share by development of funding of a potential future interchange. He thinks this could be addressed in a closure meeting, where the determination is based on the reduction in land use, to answer if the interchange is likely to be necessary. Chairman Beason said there is no way to determine this if you do not have a definitive picture of what the project is. He said the four SDAs that were brought before the City of Grass Valley did not have a region-wide traffic study done to measure the impacts; not just at Crestview and Dorsey Drive, but there is an indirect impact of all these proposed developments on one another. He feels the jurisdictions have failed to jointly recognize the need for this type of a study. Chairman Beason said he agrees with Tim Kiser's points and he believes those points support the fact that the City of Grass Valley is the lead agency for the SDAs, so what better home for this type of process than Grass Valley. On the other side, he said there are still disputes in Grass Valley about whether there should be an interchange or a signal at Crestview. But then you address the concerns of those who do not want a traffic signal as you approach the city limits on SR 49. He thinks there is a process that NCTC could weigh in on this. Another concern Chairman Beason has is the issue of staff time spent, and when the Commission reviewed the goals and objectives of staff in January, there was a concern about whether there would be time to accomplish the work load. He said, even if staff is paid by developers, he does not want to see staff time spent on projects that would detract staff from critical studies like the RTMF. He said if the Crestview stakeholders can bring the project to closure in a fairly rapid timeframe, he would be willing to consider that. But he sees a need to move on to more pressing issues and projects currently before the Commission. Chairman Beason repeated there is currently no known project and he would like staff to spend time on priority projects.

Commissioner Poston would like to differentiate between frustration of a timeframe of getting something accomplished and a philosophy of whether this Commission should be doing what it is doing. Chairman Beason said he does not think the Commission should be doing what it is doing, but the Commission made the decision to get involved in the Crestview project prior to most of the Commissioners tenure on the NCTC.

Commissioner Harris made a motion that no action be taken on the Crestview project at this time. Chairman Beason asked if she would like to add a time-certain to the motion when action would be taken, i.e. at the May NCTC meeting, which would give the PDT two months to accomplish the closure process. Commissioner Poston said if the Commission gives that directive, then the PDT

could make every effort to do so. He agreed with Commissioner Harris to give the principals an opportunity to meet and see what their consensus is. Chairman Beason asked if it was the consensus of the Commission to take no action and leave it until such time as staff, or the project applicants, or the City of Grass Valley determines it is time to come forward. Commissioner Brady said he is of the opinion that staff bring this to a conclusion with no set deadline. He does not believe there is a need to change the method of action to bring forth a conclusion.

Commissioner Spencer questioned Executive Director Landon if the Commission decides to take no action and vote on that, will the PDT finalize the report that has been started as is with that motion. Mr. Landon, as project manager, committed to call a PDT meeting to ascertain what goals have been achieved, decide if there are any additional actions needed that are reachable with the funding that remains available, and reachable within an appropriate timeframe. He will get back to the Commission with a report on those issues and see what further action is needed by the Commission. Commissioner Spencer seconded the motion.

Chairman Beason asked Executive Director Landon to clarify a conversation they had several weeks ago in which one or both of the developers agreed with Mr. Landon's voicing of the Commission's concerns about this issue. Mr. Landon said that based on the reduced project scopes for both developments, they do not feel that they will necessitate a need for the interchange. He said the developers are in approval, as they stated in this meeting, of wrapping up the study, closing it out, and receiving a refund of their monies.

Chairman Beason reviewed the motion as being to take no action and wait until a report at the May NCTC meeting updates the Commission on results of the PDT meeting. Commissioner Steele would like to amend the motion to say that a report is expected at the next NCTC meeting on the status of the Crestview project. Chairman Harris agreed to amend the motion to include an expectation of a status report on Crestview at the May NCTC meeting. Commissioner Spencer issued an amended second to the motion. The motion passed unanimously.

\* Commissioner Harris left the meeting at 11:10 a.m.

#### 15. Bickett Engineering, Inc. Request for Contract Amendment and Payment of Final Invoice

Chairman Beason reviewed the action at the last NCTC meeting regarding Bickett Engineering. Their claim is they did work beyond the Agreement amount entitling them to an additional payment of \$30,000. The Commission's position is Bickett Engineering was not under contract to perform the additional work.

Executive Director Landon reported that he met with Greg Bickett following the January 17, 2007 NCTC meeting, per the Commission's direction. They reviewed the chronology and key events of the project, and agreed that Mr. Bickett would provide those in bullet point form so attorneys for both parties could review them. Mr. Bickett was unable to provide the information for the attorneys review prior to the March 21<sup>st</sup> NCTC meeting. Mr. Bickett also said that he was unable to meet prior to the March 21<sup>st</sup> meeting. Mr. Landon said that nothing occurred in his last discussion with Mr. Bickett that would change his previous recommendation. Mr. Landon believes that, based on the contract and the actions that occurred, staff's recommendation is there is no basis for the Commission to support Mr. Bickett's claim or amend the Agreement to provide for the additional payment.

Chairman Beason said it was his request at the January 17<sup>th</sup> meeting to bring the discussion of this item back to the March meeting. He stated the Commission gave Mr. Bickett two months to complete the discussions as requested. Mr. Bickett had remarked that he had been sick, he did not have time, and his attorney was busy. Chairman Beason stated that the NCTC attorney has reviewed the request and has given her recommendations, so he would like the Commission to act on the request.

Commissioner Spencer posed a procedural question as a result of his withdrawing himself from the January 17<sup>th</sup> meeting discussion on this subject. His perception was he may have a relationship with Bickett Engineering, Inc., due to his business activity. But, in looking further he does not have a monetary relationship with them, other than knowing a few employees. He felt confident that he could vote on the issue at this meeting.

Commissioner Brady said all the Commissioners present at the January 17<sup>th</sup> meeting shared their views and comments, and there was a consensus that staff's recommendations were appropriate and correct.

Commissioner Poston commented that he was not at the January 17<sup>th</sup> meeting, but he did review the minutes and also discussed this topic with Grass Valley staff. He is comfortable voting on the request.

There was no comment from any member of the public.

Chairman Beason asked for a motion. Executive Director Landon reviewed staff's recommendation to not amend the contract and not to make payment to Bickett Engineering, Inc. for \$30,000. Commissioner Steele made the motion as stated. Commissioner Brady seconded the motion. There was no further discussion. The motion passed unanimously.

#### 16. Allocation Request from the City of Nevada City

Executive Director Landon explained that 2% of the Local Transportation Funds (LTF) NCTC receives are set aside for the member agencies to use for pedestrian and bicycle projects. He said in years past the Commission has passed resolutions to support a Bike-To-Work Week or month. The City of Nevada City requested an allocation of \$500 for bicycle safety education materials to be used in this year's Bike-To-Work Week. Mr. Landon said the funds would provide a brochure that would be made available to cyclists about rider safety. NCTC staff requested adoption of Resolution 07-10 which would provide the \$500 allocation to Nevada City.

Commissioner Spencer made a motion to adopt Resolution 07-10. Commissioner Dee seconded the motion. The motion passed unanimously.

#### PUBLIC COMMENT

There was no public comment.

#### COMMISSION ANNOUNCEMENTS

Commissioner Brady said he enjoyed seeing Mr. Jones in the audience and recognized his efforts with the group of Concerned Citizens for Highway 49. Commissioner Brady was pleased with the

quick response between NCTC and Caltrans to address safety on Highway 49 and install the rumble strip. He mentioned NCTC's successful efforts toward the CMIA nomination and approval of funding that occurred recently. He was pleased to see the safety issues for SR 49 implemented so quickly, when it usually takes a long time for projects to be approved and completed.

Executive Director Landon reported that an item in a CCAT (Concerned Citizens About Traffic) Newsletter caught his attention this week regarding the topic of transportation planning in our community. He shared the title of an article: "Paralysis By Analysis – Or Let's Study It But Never Do It." He read: "CCAT with some interested citizens have discovered that since 2002 the Nevada County Transportation Commission has financed eight studies, all describing a roundabout for the Idaho-Maryland/East Main Street intersection at a cost of \$400,000 plus. Now the City of Grass Valley is spending approximately \$480,000 on the ultimate study/design for the roundabout at the same locations."

"Key concerns of CCAT and the investigative citizens are:

1. Back in 2002 the first consultant's report stated the roundabout could be built for \$378,000.
2. Currently, the City of Grass Valley and its consultants estimate it will cost \$1.4 million, including the study.
3. The intersection has had eight roundabout studies and a ninth in progress.
4. Why do we keep spending money for studies rather than paying for improvement projects."

Executive Director Landon noted for the record:

1. Yes, there are correct facts in the CCAT Newsletter. There have been more than eight studies done since 2002, many of which had components that discussed the Idaho-Maryland/East Main Street intersection, but they were not focused solely on that intersection. He said the cost of those eight studies did exceed \$400,000.
2. In 2002 a consultant did give NCTC a conceptual design for a single lane roundabout that would have no impact on any right-of-way of businesses at the intersection. The estimate to build a single lane roundabout was \$378,000. That spurred the initial study to answer: Is this really viable? What would it take? How much relief would it provide? As the studies progressed, it was determined that while it was feasible to do, it would not provide the level of traffic relief that the community wanted to have. So the scope of that project has grown.
3. In response to their second concern: Currently the Grass Valley consultants estimated the roundabout will cost \$1.4 million. That is a correct fact. And, it is a much larger roundabout than the initial one. The City is moving forward and the Commission received a report at this meeting that they expect to construct a roundabout in 2008.
4. In response to Concern #4, as to why the NCTC keeps spending money rather than paying for improvements: Mr. Landon does not think it is an either/or. One thing he pointed out and was very proud of, as the study process continued, was not only did the study identify improvements for the Idaho-Maryland/East Main Street intersection, it provided an improvement for the State whereby when they are ready to fund the project, they have a solution for the weave issue at the Bennett Street off-ramp. That was coupled initially with the improvement for the City of Grass Valley. Mr. Landon said that after doing all of the studies and pointing out the relationship between the size of that project and the intersection, Caltrans came back to the table and said they recognized they were being overly burdensome. They allowed the City to address the intersection and said they would address the weave in a subsequent project. Mr. Landon stated again that it was the study process that



brought the two entities together, and solutions were provided for multiple projects that will be used in the future. The process also helped the City of Grass Valley work through not having to pay \$17 million for a project, but \$1.4 million.

Commissioner Steele asked how to get what was just said to the public, because he sees the CCAT brochures all over town. He said the general public is unaware of the whole explanation. Executive Director Landon said he would be pleased to write an opinion editorial to give out to the media. Commissioner Brady said he would like Mr. Landon to do that, since it was so clear that CCAT did not take the fifteen minutes to find out the history. Commissioner Brady said the Commission has watched all the studies, the roundabout that was rejected by Caltrans because it would be too much traffic, all the bypass studies, all of the other work that has been done. He said there is a great deal of history, but it only takes about fifteen minutes to know the answers. Rather than seek those answers, CCAT would prefer to print inflammatory literature. He was amazed at the negativity put forth when the Commission and jurisdictions are trying to do something good for the city and community.

Commissioner Spencer recommended that if an opinion editorial piece were written, Mr. Landon would briefly quote the CCAT flyer and then give the history behind the actions.

Chairman Beason told of an article in the newspaper where Nevada County was going to request \$4 million from our Congressman for the Cascade Shores wastewater treatment plant and a few people were upset and wondered why the County was doing that instead of fixing SR 49. He said the newspaper failed to report that not only did the County request \$5 million for SR 49, but the County was just awarded \$18.5 million for SR 49.

Chairman Beason continued, regarding CCAT's comments, that there are a few things NCTC deals with. There are seven people instead of five, with four jurisdictions represented, each of which has its own priorities. He said the Commission tries to focus on reaching some accommodation as best they can, and tries to be as flexible as possible. He thinks there is a lot of studying going on, but he also sees the positive results of the studies, as stated by Mr. Landon. Chairman Beason asked that it be on the record once again that he thinks CCAT puts out misleading information, they have nothing to offer, and they are an impediment to progress.

#### SCHEDULE FOR NEXT MEETING

The next regularly scheduled Commission meeting is on Wednesday, May 16, 2007 at 8:30 a.m., at the City of Grass Valley Council Chambers, 125 East Main Street, Grass Valley, CA.

#### ADJOURNMENT OF MEETING

Commissioner Spencer made a motion to adjourn the meeting. Commissioner Steele seconded the motion. Chairman Beason adjourned the meeting at 11:25 a.m.

Respectfully submitted: \_\_\_\_\_  
Antoinette Perry, Administrative Assistant

Approved on: \_\_\_\_\_

By: \_\_\_\_\_

Nathan H. Beason, Chairman  
Nevada County Transportation Commission